



**Mary Fallin**  
Governor

**FILED**

**MAY 18 2016**

OKLAHOMA SECRETARY  
OF STATE

**EXECUTIVE DEPARTMENT  
EXECUTIVE ORDER 2016-15**

Today, I signed into law House Bill 2599, which, among other things, generally prohibits unmanned aircraft from being flown within a close proximity of critical infrastructure like chemical manufacturing facilities and electrical power generating facilities. This law, however, does not apply to an “unmanned aircraft [UA] that is being used for a commercial purpose, if the operator is authorized by the Federal Aviation Administration [FAA] to conduct operations over that airspace.”

The aforementioned exemption for commercial operators is sound policy: since commercial operators are already held to federal standards that are more rigorous than those for hobbyists or recreational fliers, and are also subject to a federal permitting process, more regulation is not needed to protect the public interest. And, because federally-regulated commercial operators may receive a blanket Certificate of Waiver or Authorization for flights anywhere in the country, as long as the flights are conducted in compliance with certain, specific FAA safety standards—including, for instance, height and daytime flight restrictions, as well as avoidance of restricted airspace—it is only logical to equate “operations over *that* airspace” with “operations over airspace as authorized by the FAA.” Any different interpretation would not only be inconsistent with FAA regulation, but also could force commercial operators to seek the written consent of the facility owner or operator prior to flight—a task so logistically difficult as to functionally disallow commercial UA operations in Oklahoma.

Accordingly, to the extent that any Oklahoma agency is called upon to interpret the exemption at issue (to be codified at Section 322(C)(9) of Title 3 of the Oklahoma Statutes), I hereby direct that such interpretation shall be consistent with this Executive Order.

This Executive Order shall be distributed to the Oklahoma Aeronautics Commission and to all of my Cabinet Secretaries, who shall cause the provisions of this Order to be implemented.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 18th day of May, 2016.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

  
MARY FALLIN

ATTEST:

  
CHRIS BENGE, SECRETARY OF STATE

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